

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

PAUL TYNER,

Plaintiff

VS.

JAMES DONALD, et al.,

Defendants.

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**1 : 04-CV-156 (WLS)**

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**ORDER**

Presently pending in this § 1983 action are two (2) motions to compel filed by the plaintiff. In the first of these motions, the plaintiff asks the court to compel the defendants to send mail to his current address. Inasmuch as the defendants have indicated that they have made note of plaintiff's current address and will mail all pleadings and correspondence to this address, the court considers this issue to be resolved and hereby **DENIES** as moot plaintiff's first motion to compel.

In his second motion to compel, the plaintiff asserts that the defendants have failed to answer or respond to certain discovery requests. Local Rule 37 of this court provides that such motions "will not be considered unless they contain a statement certifying that movant has in good faith conferred or attempted to confer with the opposing party in an effort to secure the information without court action." Upon review of the second motion to compel filed herein by the plaintiff, it does not appear that he has conferred or attempted to confer with the opposing party or legal counsel as required by Local Rule 37. Additionally, the court notes that the plaintiff has failed to include copies of his discovery requests and the defendants' responses

thereto for the court's review. Accordingly, plaintiff's second motion to compel is hereby  
**DENIED.**

**SO ORDERED**, this 19<sup>th</sup> day of June, 2006.

/s/ **Richard L. Hodge**  
RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE

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